THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 16526 of 2005

28th JULY, 2005

Between:

K. Venkateswarlu. **..... PETITIONER**

AND

The Superintending Engineer, Public Health Department, Dargamitta, Nellagiri Sangam, Nellore, Nellore District and another

.....RESPONDENT(S)

The Court at the stage of admission made the following ORDER:

The petitioner submits that he responded to a tender notification dated 20-07-1999 issued by the first respondent in relation to a civil work of laying a C.C.Road mentioned therein, for a sum of Rs.13,73,754-50 ps.. He claims to have completed the work as per the specifications, by
08-05-2000. The grievance of the petitioner is that a sum of Rs.4,38,578/- has not yet been paid. He claims to have made several representations, the latest being the one dated 07-07-2005, and his grievance is that no action is being taken by the respondents thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Public Health.

The record placed before this Court discloses that the petitioner was awarded the work of laying the road referred to above. An agreement was executed and the petitioner claims that he was paid substantial amount for the work, but a sum of Rs.4,38,578/- is withheld. The question as to whether there exists any basis for the respondents in withholding such an amount, cannot be decided by this Court at this stage. If the petitioner has completed the work according to the specifications, the respondents cannot withhold the amount payable to the petitioner. If there was any defect in the work or omission on the part of the petitioner disentitling him to receive the said amount, the respondents are under

obligation to communicate the reasons therefor.

Hence, the writ petition is disposed of directing the respondents to pass appropriate orders on the representation made by the petitioner for payment of the balance amount for the contract awarded to him, within a period of six weeks from the date of receipt of a copy of this order.

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(L.NARASIMHA REDDY, J)

28th JULY, 2005.

Note: furnish c.c. in one week.

B/o

kvni